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August 14, 2013

8/21

Honorable Kenneth M. Karas
Federal Building and United States Courthouse
300 Quarropas Street
White Plains NY 10601

Re: Jeffrey Deskovic v. Putnam County, et al.
07 cv 8150 (KMK)
Our File No: 010-079 JJW

Honorable Sir,

We represent the County of Putnam and Daniel Stephens as defendants in the Declaratory Judgment action brought on behalf of New York Municipal Insurance Reciprocal (NYMIR). We are in receipt of the letter of August 13, 2013 to Your Honor from Joan M. Gilbride, Esq., seeking a pre-motion conference.

On June 26, 2013, the undersigned served a demand for production of documents on Congdon, Flaherty, the predecessor firm representing NYMIR. The demand requested copies of all policies of insurance, including declarations of coverage issued to the County of Putnam by NYMIR for calendar years 1990 through 2006.

We also requested copies of all correspondence between NYMIR and the County of Putnam concerning coverage available to the County of Putnam for the claims asserted by the plaintiff herein.

Finally, we requested copies of internal communications between employees and/or agents of NYMIR concerning coverage available to the County of Putnam for the claims asserted on behalf of Jeffrey Deskovic.

A copy of this demand for production of documents was forwarded to Ms. Gilbride on August 2, 2013. On August 9, 2013, I agreed to a 30 day extension for NYMIR to respond.

While I can sympathize with Ms. Gilbride's desire to move the Declaratory Judgment action forward, it is our position that a summary judgment motion at this stage would be premature. At the very least, we should be provided with copies of the documents demanded, and a reasonable time to review same.

As always, thank you for your attention.

Most respectfully yours,
John J. Walsh

JJW:kl

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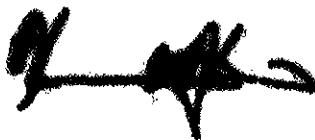
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The Court will
assume the
Parties will
exchange documents
in advance of the
October 9th
Renovation Conference.
So ordered.


8/20/2013